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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,803	11/30/2001	Carol Ivash Gabele	AUS920010963US1	9634

45502 7590 02/17/2006

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EXAMINER

GEBRESILASSIE, KIBROM K

ART UNIT PAPER NUMBER

2128

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,803

Applicant(s)

GABELE ET AL.

Examiner

Kibrom K. Gebresilassie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 4, 10 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-9, 13-15, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 11, 12, 17, and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/14/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-3, 5-9, 11-15, and 17-20 have been presented for examination based on applicant's amendment filed on 30 November 2005.
2. Claims 4, 10, and 16 are cancelled.
3. New Claims 19 and 20 are added.
4. Claims 1-3, 7-9, 13-15, 19, and 20 remains rejected by the examiner.

Response to Arguments

5. Applicants arguments filed on 30 November 2005 have been fully considered.

Regarding amendments to the specification: *The examiner based on the amendment filed on 30 November 2005 has approved applicant's proposed specification changes.*

Regarding Applicant's response to 112 rejection: *The examiner withdraws 112 rejection of claims 1, 12, and 16 based on the amendments and arguments of applicant's response filed on 30 November 2005.*

Regarding applicant's response to 103 rejection: *Applicants argued that the prior art which recite by the examiner have owned by the same assignee and disqualified under 35 U.S.C. 103(c) as 102(e). The examiner has been fully considered applicant's argument and withdrawn the rejection.*

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1, 2, and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Powell et al., Publication No. US 2002/0170037 A1, referred herein as **Powell**.

As per Claim 1:

Powell discloses a method for providing centralized access to instrumentation count event information generated by simulation testing of hardware description language (HDL) simulation models said method (Abstract) comprising:

For each of one or more of said HDL simulation models, generating an entity list that includes an identifier [0041] for each design entity within said hardware simulation model that has at least one instantiated instrumentation count event ([0005] lines 8-14);

associating each of the design entity identifiers [0041] within said entity list with identifiers for one or more of said HDL simulation models in which the design entity is instantiated such that instrumentation count event information is accessible using design entity information (Abstract).

As per Claim 2:

Powell discloses entity list is generated during model build processing of said HDL simulation model prior to simulation of said HDL simulation models ([0002] lines 1-6).

As per Claim 3:

Powell discloses associating each of the design entity identifiers [0041] within said entity list with identifiers for one or more of said HDL simulation models in which

the design entity is instantiated ([0005] lines 8-14) comprises generating a translation table that indexes the design entity identifiers included in the entity lists in accordance with the HDL simulation models in which the design entities are instantiated ([0096] Fig. 5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7-9, 13-15, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powell et al., Publication No. US 2002/0170037 A1, referred herein as **Powell** as applied to claims 1,2, and 3 above, and further in view of Bade et al., Publication Nu. 2002/0059054 A1, referred herein as **Bade**.

As per Claim 7:

Powell discloses a method for providing centralized access to instrumentation count event information generated by simulation testing of hardware description language (HDL) simulation models said method (Abstract) comprising:

Processing means that, for each of one or more of said HDL simulation models, generating an entity list that includes an identifier [0041] for each design entity within said hardware simulation model that has at least one instantiated instrumentation count event ([0005] lines 8-14);

processing means for associating each of the design entity identifiers [0041] within said entity list with identifiers for one or more of said HDL simulation models in which the design entity is instantiated such that instrumentation count event information is accessible using design entity information (Abstract).

Powell fails to disclose simulation testing is performed within a batch simulation farm by multiple simulation clients communicating with an instrumentation server.

Bade discloses simulation testing is performed within a batch simulation farm by multiple simulation clients communicating with an instrumentation server [0198; Fig. 41].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Powell related to a method and an apparatus for controlling event ordering in a mixed-language simulator that utilizes models written in a different languages to simulate hardware designs with the teachings of Bade related to evaluate, design, and simulate embedded systems. The motivation for doing so would have been more convenient to reduce the resources used by a client computer [0199]. Hence a skilled artisan having access to the teaching of Powell and Bade would have knowingly modified the teaching of Powell with Bade.

As per Claims 8 and 14:

The limitations of claims 8 and 14 have already been discussed in the rejection of claim 2. They are therefore rejected under the same rationale.

As per Claims 9 and 15:

The limitations of claims 9 and 15 have already been discussed in the rejection of claim 3. They are therefore rejected under the same rationale.

As per Claim 13:

The limitation of claim 13 has already been discussed in the rejection of claim 7. They are therefore rejected under the same rationale.

As per Claim 19:

Powell discloses generating an entity list is performed by one or more of said simulation clients ([0005] lines 8-14).

Powell fails to disclose simulation testing is performed within a batch simulation farm by multiple simulation clients communicating with an instrumentation server.

Bade discloses simulation testing is performed within a batch simulation farm by multiple simulation clients communicating with an instrumentation server [0198; Fig. 41]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Powell related to a method and an apparatus for controlling event ordering in a mixed-language simulator that utilizes models written in a different languages to simulate hardware designs with the teachings of Bade related to evaluate, design, and simulate embedded systems. The motivation for doing so would have been more convenient to reduce the resources used by a client computer [0199]. Hence a skilled artisan having access to the teaching of Powell and Bade would have knowingly modified the teaching of Powell with Bade.

As per Claim 20:

Powell discloses simulation testing is performed within a batch simulation farm by multiple simulation clients communicating with an instrumentation server, and wherein said associating design entity identifiers within said entity list with identifiers for one or

more said HDL simulation models ([0005] lines 8-14) is performed by said instrumentation server.

Allowable Subject Matter

8. Claims 5, 6, 11, 12, 17, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

a. **Regarding claims 5, 6, 11, 12, 17, and 18** the prior art of record fail to teach the limitation of "delivering an aggregate count event packet from simulation client to said instrumentation server, wherein said aggregate count event packet includes count event data recorded during said simulation."

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiring concerning this communication or earlier communication from the examiner should be directed to Kibrom K. Gebresilassie whose telephone number is (571) 272-8571. The examiner can normally be reached on Monday-Friday, 8:30 am to 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Kamini shah can be reached at (571) 272-2279. The official fax number is (571) 273-8300. Any inquiring of a general nature relating to the status of this application should be directed to the group receptionist whose telephone number is (571) 272-3700.

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